GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR & RD Dept. – Allegations of irregularities in construction of bridge in Jalumuru Mandal of Srikakulam District - Disciplinary Proceedings initiated against Sri B. Appala Naidu, the then Executive Engineer (PR), Srikakulam District (now Retired) - WSD submitted - Inquiry conducted - Charges proved in the regular Inquiry - Representation - Imposition of penalty of 5% cut in pension permanently under Rule 9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-I) DEPARTMENT

G.O.Rt.No. 159

Dated: 22. 02.2024.
Read the following:-

1) G.O.Rt.No.830, PR&RD (Vig.II) Deptt., dated.18.05.2013.
2) From B.Appalanaidu, the then EE, now Retired Written Statement of Defence, dt.28.3.2014.
3) G.O.Rt.No.517, PR&RD (Vig.I) Department, Dt.26.05.2015.
4) From the Inquiry Authority & G.A.(COI-P) Department D.O.Letter No.78/COI-KSR/2015, dated:17.12.2016.
5) Govt.Memo.No.1964/Vig.I/2011,PR&RD(Vig.I)Dept., dt:12.04.2017.
6) From Sri B.Appala Naidu, the then EE, Explanation,dt:17.08.2017.
7) Govt.Memo.No.1964/Vig.I/2011, dt:14.6.2018
8) From Sri B. Appala Naidu, former Dy.EE, PR (Retd.), representation dt: 19.02.2022.
9) Govt. Letter No.1964/Vig.I/2011, dt.19.10.2023.
10) From the Secretary, AP Public Service Commission, Vijayawada Letter No.GAD03-APPS0DCC/109/2023-DC SECAPPSC (Computer No.2265329), Dated:31.01.2024..

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O R D E R:

Whereas, in the reference 1st read above, based on the V&E Report, Government have initiated disciplinary action against Sri B. Appala Naidu, the then Executive Engineer, PR, Srikakulam District (now Retired) among others on the allegation of irregularities in construction of Bridge in Jalumuru Mandal of Srikakulam District, duly framing following article of charge under Rule 20 of A.P.C.S. (CC&A) Rules, 1991 with a direction to submit his written statement of defence:

Charge:

Sri B. Appala Naidu, the then EE, PR, Srikakulam District (now Retired) has committed certain irregularities in execution of the work "construction of bridge in Jalamuru (M), Srikakulam district", as he was responsible for (1) Grounding the work without approval of designs and allowing payment, (2) allowing execution and payments for the work which was executed after the lapse of agreement period without approval of EOAT, (3) allowing payment without insisting on QC certificate which caused irregular payment for the defective work executed, (4) allowing excess quantity of steel than the approved designs, (5) for allowing defective concrete work, (6) for not super checking the work, (7) improper planning and preparation of estimates leading to incomplete work with the result the bridge was not put to use.

(P.T.O)

2. And whereas in the reference 2nd read above, the Charged Officer Sri B. Appala Naidu, the then Executive Engineer (PR), Srikakulam District has submitted his written statement of defence on the charge framed against him. After examining the written statement of defence of the Charged Officer along with other Charged Officers, Government have taken a decision to conduct regular enquiry into the matter. Accordingly, in the reference 3rd read above, Government have entrusted the case to Sri K. Sahadeva Reddy, Member, Commissioner of Inquiries, as the Inquiring Authority to conduct enquiry into the above charge framed against the charged officer, among others.

3. And whereas in the reference 4th read above, the Inquiring Authority has submitted his Inquiry Report along with his findings wherein the Inquiry Authority has held that the charge framed against the Charged Officer Sri B. Appala Naidu, the then Executive Engineer., (PR) Srikakulam District is proved. A copy of the Inquiry Report has been communicated to the charged officer for his representation if any on the findings of the Inquiry Officer in the reference 5th read above.

4. And whereas in the reference 6th read above, the Charged Officer Sri B. Appala Naidu, the then Executive Engineer (PR), now retired has submitted his representation on the Inquiry Report. After examining the same, Government have taken a provisional decision to impose a penalty of 5% cut in pension permanently against the Charged Officer Sri B. Appala Naidu, the then Executive Engineer(PR)(Retired) under Rule 9 of A.P. Revised Pension Rules, 1980. Accordingly, in the reference 7th read above, show cause notice was issued under Rule 9 of A.P. Revised Pension Rules, 1980 for submitting his explanation, if any, on the proposed penalty.

5. And whereas in the reference 8th read above, the Charged Officer Sri B. Appala Naidu, the then EE, PR, Srikakulam District (retired) has submitted that with regard to findings of I.A on Charge-1, he has stated that the clause 16.4 of SP24 clearly specified that "it is important that structure should not be unnecessarily be declared unfit simply because the sample may fail below the required strength especially when only a small number of cores are tested. Either further core tests may be carried out or a lead test is resorted to it". In complying with the clause 16.4 of SP24, cores were extracted from hardened concrete core of deck slab for the second time by the Andhra University, Visakhapatnam and tested the cores, which yielded results satisfying the strength requirement. Based on the test results, the ENC, PR., in letter dt:18.2.2015, recommended to take the test results of Andhra University, Visakhapatnam into cognizance since the bridge was structurally sound. After consideration of the above, the Government have exonerated the Contractor. The Bridge is serving its purpose by withstanding the traffic of heavy vehicles moving on the bridge and there is no financial loss. Hence, he has requested to re-consider the provisional decision of Government to impose 5% cut in pension permanently proposed against him as he had retired from service on 31.10.2013 and no retirement benefits were released for 8 years to him. Government have examined the above contention of the Charged Officer and rejected the same. It is therefore decided to proceed further with the above provisional decision. Accordingly, addressed the A.P. Public Service Commission for their concurrence in the reference 9th read above.

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6. And whereas in the reference 10th read above, the Secretary A.P. Public Service Commission have communicated the consent of the Commission i.e., to impose the penalty of 5% cut in pension permanently under Rule-9 of AP Revised Pension Rules, 1980 against Sri B. Appala Naidu, the then Dy.EE (now Retired).

7. And whereas, Government, after careful examination of the matter, hereby impose a penalty of 5% cut in pension permanently against the Charged Officer Sri B. Appala Naidu, the then Executive Engineer (PR), Srikakulam District (now Retired) under Rule 9 of A.P. Revised Pension Rules, 1980 on the allegation of irregularities in construction of Bridge in Jalumuru Mandal of Srikakulam District since the charge is held proved in the regular enquiry.

8. The Engineering-in-Chief, Panchayath Raj, A.P., Vijayawada shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri B. Appala Naidu, the then Executive Engineer (PR), Srikakulam District (now Retired) **through** the Engineering-in-Chief, Panchayat Raj, A.P., Vijayawada.
The Engineering-in-Chief, Panchayat Raj, A.P., Vijayawada (with a request to serve the order on the individual and furnish the served copy and also report compliance on effect the penalty to Govt.)
Copy to:
The Accountant General, Andhra Pradesh, Vijayawada.
The Secretary, A.P. Public Service Commission, Vijayawada (w.r.t file Computer No.2265329)
SC/SF.

//FORWARDED::BY::ORDER//

SECTION OFFICER